

Brandon Burgess
Chief Executive Officer

EX PARTE OR LATE FILED

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June 28, 2006

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RECEIVED

JUN 29 2006

Federal Communications Commission
Office of Secretary

Re: Ex Parte Filing
CS Docket No. 98-120

Dear Ms. Dortch:

As the Commission continues to consider the issue of requiring cable to deliver all free over-the-air digital broadcast signals to all subscribers, it is important that the full extent of Congressional support for the nation's free television service is part of the Commission's record. Accordingly, attached are the various Congressional letters of support for full digital must carry that have been filed with the Commission.

Very truly yours,

A handwritten signature in black ink, appearing to read "Burgess", written over the typed name.

Brandon Burgess
Chief Executive Officer
ION Media Networks

Attachment:

Cc (w/attachment): Chairman Kevin Martin
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert M. McDowell

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List A B C D E

CONGRESSIONAL LETTERS OF SUPPORT FOR MULTICAST MUST-CARRY

1. **Senator Kay Bailey Hutchinson (R-TX)-resent multiple letters:** (6/16/2006, 3/5/2003)
2. **Congressman Mario Diaz-Balart (R-25th FL)-resent multiple letters:** (6/14/2006, 3/2/2006)
3. **Congressman Mark Foley (R-16th FL)-resent multiple letters:** (6/14/2006, 3/2/2006, 2/1/2005, 11/6/2002)
4. **Congresswoman Ileana Ros-Lehtinen (R-18th FL)-resent multiple letters:** (6/14/2006, 3/2/2006, 2/1/2005, 11/26/2002)
5. **Congresswoman Corrine Brown (D-3rd FL)-resent multiple letters:** (6/12/2006, 3/2/2006)
6. **Senator Susan Collins (R-ME)-sent a letter:** (6/12/2006)
7. **Congressman Alcee Hastings (D-23rd FL)- resent multiple letters:** (6/12/2006, 3/2/2006)
8. **Congressman Kendrick Meek (D-17th FL)-resent multiple letters:** (6/12/2006, 3/2/2006)
9. **Congresswoman Debbie Wasserman Schultz (D-20th FL)-resent multiple letters:** (6/12/2006, 3/2/2006)
10. **Congressman Robert Wexler (D-19th FL)-resent multiple letters:** (6/12/2006, 3/2/2006)
11. **Congressman J. Gresham Barrett (R-3rd SC)-resent multiple letters:** (6/9/2006, 2/1/2005, 3/5/2003)
12. **Congressman Lincoln Diaz-Balart (R-21st FL)-resent multiple letters:** (6/8/2006, 3/2/2006, 2/1/2005, 11/26/2002)
13. **Congressman Joe Wilson (R-2nd SC)-resent multiple letters:** (6/7/2006, 2/1/2005, 11/13/2002)
14. **Senator Olympia Snowe (R-ME)-resent multiple letters:** (6/5/2006, 2/1/2005, 3/18/2003)
15. **Senator Jeff Bingaman (D-NM):** (4/3/2006)
16. **Senator Pete Domenici (R-NM):** (4/3/2006)
17. **Congresswoman Katherine Harris (R-13th FL):** (3/2/2006)
18. **Congressman John Mica (R-7th FL):** (3/2/2006)
19. **Congressman Clay Shaw (R-22nd FL)-resent multiple letters:** (3/2/2006, 2/1/2005, 11/26/2002)
20. **Congressman Dave Weldon (R-15th FL)-resent multiple letters:** (3/2/2006, 2/1/2005, 8/5/2002)
21. **Senator Mel Martinez (R-FL):** (2/4/2005)
22. **Congressman Henry Bonilla (R-23rd TX):** (2/1/2005)
23. **Senator Lindsey Graham (R-SC)-resent multiple letters:** (2/1/2005, 11/13/2002)

- 24. Senator Trent Lott (R-MS)-resent multiple letters: (2/1/2005, 10/11/2002)**
- 25. Congressman Tom Osborne (R-3rd NE)-resent multiple letters: (2/1/2005, 3/10/2003)**
- 26. Congressman Paul Gillmor (R-5th OH): (1/20/2004)**
- 27. Senator James Inhofe (R-OK): (7/23/2003)**
- 28. Congressman Mac Collins (Ret. R-GA): (3/5/2003)**
- 29. Senator Larry Craig (R-ID): (10/11/2002)**

KAY BAILEY HUTCHISON
TEXAS

COMMITTEES:
APPROPRIATIONS
COMMERCE, SCIENCE,
AND TRANSPORTATION
RULES AND ADMINISTRATION
VETERANS' AFFAIRS

United States Senate

WASHINGTON, DC 20510-4304

June 16, 2006

Chairman Kevin J. Martin
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Martin:

I have been informed that the FCC will address the issue of multicast must-carry during the June 21st FCC meeting. I have consistently expressed my support for cable carriage of a broadcaster's entire 6 MHz of spectrum and am pleased to hear that you will be revisiting this issue. This is a very important issue affecting small, independent, minority and religious broadcasters in Texas and throughout the country.

Without the ability to multicast in digital television, smaller stations will struggle to compete, and local viewers may lose access to valuable community oriented programs. Non-major network affiliated broadcasters in Texas offer unique programming that is tailored to our state's population, including religious, Spanish-language, agricultural and rural, and locally-focused programming. These broadcasters are committed to airing quality and unique public interest programming that reflects our state's diverse demographics.

As the FCC considers initiatives that would move the digital transition forward in a manner that is least disruptive to the American consumer, multicast must carry should be a top priority. Therefore, in order to promote the government and public interests of ensuring a smooth digital transition, I would encourage you to vote in the affirmative for multicast must-carry, and I reiterate my support for broadcasters receiving cable carriage of their entire 6 MHz of spectrum.

A successful transition from analog to digital television will bring consumers new choices and greater diversity in video programming, as well as ensure a competitive market. Requiring cable carriage of broadcast station multicast channels will allow broadcasters to provide viewers more options and to maximize the benefits of the digital transition.

Thank you for your time and consideration. I look forward to hearing from you on this matter.

Sincerely,



Kay Bailey Hutchison

Web: <http://hutchison.senate.gov>

Congress of the United States
Washington, DC 20515

June 14, 2006

Chairman Kevin Martin
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Dear Chairman Martin:

It is our understanding that you will soon be considering ruling on multicast must-carry issues for broadcasters in digital television. As you know, we have previously expressed our support for broadcasters to receive full cable carriage of their entire 6 MHz of spectrum in digital television. Requiring the carriage of broadcaster's 6 MHz of spectrum, which is the current requirement in analog television, will maintain the delicate regulatory balance that makes it possible for small and independent broadcasters to be part of today's multi-media landscape. This issue is important to our state, which is home to many smaller, independent broadcasters, including locally focused, and several minority broadcast companies.

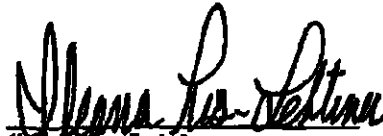
As you know, in recent years, the current media environment has become increasingly consolidated leading to integrated media conglomerates. Multicast must-carry will help maintain a reasonably proportionate cable to broadcast channel ratio that existed, and was successful, in analog television. Small and independent broadcasters deliver vital services to their communities, including religious broadcasting, family-friendly broadcasts, and other information important to local communities.

In this regard, we believe a favorable ruling for multicast must-carry is a reasonable means for ensuring a diversity of local, independent, and religious programming in the digital television marketplace. Within all applicable rules and regulation, we reiterate our support for this issue. Thank you for your time and consideration to this matter.

Sincerely,



Mario Diaz-Balart
Member of Congress



Ilana Ros-Lehtinen
Member of Congress



Mark Foley
Member of Congress

Congress of the United States
Washington, DC 20515

June 12, 2006

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Martin:

We have been informed that you are considering placing the multicast must-carry issue on the Federal Communications Commission docket at your June 21st meeting. As you know, we have previously expressed our support for broadcasters to continue to receive cable carriage of their entire 6MHz of spectrum, including any multicast channels, in digital television. To be clear, with multicast must-carry, broadcasters are not seeking carriage of any additional spectrum than cable has carried on their systems since 1992. In fact, cable operators can now compress each broadcaster's 6MHz of spectrum with multicast signals to 3MHz without degrading the signals, thereby freeing up half of the spectrum they have traditionally allocated for broadcasters.

As you know, the current media environment has become increasingly consolidated in recent years leading to horizontally and vertically integrated media conglomerates. Multicast must-carry will help maintain a reasonably proportionate cable to broadcast channel ratio that existed, and was successful, in analog television. Small, independent, religious and minority broadcasters provide valuable family-friendly and locally-oriented programming for communities across the nation and will be irreparably harmed without multicast must-carry in digital television.

In this regard, we believe a ruling in the affirmative for multicast must-carry is a reasonable means for ensuring a diversity of local, independent and religious programming in the digital television marketplace and we reiterate our support for this issue. Thank you for your time and consideration. We look forward to your response.

Sincerely,

Debbie Wasserman Schultz

Handwritten Signature

The Honorable Kevin Martin
Page 2

Carine Brown

Robert M. McDowell

Alfred. Hartman

Cc: Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert M. McDowell

JUN. 13. 2006 9:58AM

SUSAN M. COLLINS
MAINE

NO. 659

COMMITTEE
ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS, SENATE
ARMED SERVICES
SPECIAL COMMITTEE
ON ASIAN

401 DIVISION STREET OFFICE BUILDING
WASHINGTON, DC 20540-1004
(202) 224-2822
(202) 224-2822 (FAX)

United States Senate

WASHINGTON, DC 20510-1804

June 12, 2006

Kevin I. Martin
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Martin:

It is my understanding that you will be considering digital multicast must-carry rights for broadcasters in the upcoming weeks. I am writing to communicate my view that broadcasters should receive full cable carriage of their entire 6 MHz of spectrum (which is the current requirement in analog television). I believe that this requirement is necessary to ensure the maintenance of the delicate regulatory balance that makes it possible for small and independent broadcasters to be a part of the multi-media landscape of today's television industry.

I am a strong proponent of preserving localism as well as promoting the diversity of television programming. The transition from analog to digital television will bring consumers in Maine and across the nation many new choices for video programming, and will help to ensure a competitive market. For these reasons, preserving the 6 MHz must-carry obligation for broadcasters' digital channels will serve the public's interest in local communities across the nation.

Thank you for your attention to this matter.

Sincerely,



Susan M. Collins
United States Senator

J. GRESHAM BARRETT
THIRD DISTRICT, SOUTH CAROLINA

ASSISTANT MAJORITY WHIP

HOUSE COMMITTEES:
BUDGET
FINANCIAL SERVICES
INTERNATIONAL RELATIONS

WASHINGTON OFFICE:
1523 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5501
FAX: (202) 225-5316

Congress of the United States
House of Representatives
Washington, DC 20515-4003

June 9, 2006

DISTRICT OFFICES

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FAX: (864) 225-7049

GREENWOOD:
115 ENTERPRISE COURT, SUITE B
GREENWOOD, SC 29843
(864) 222-8251
FAX: (864) 222-1678

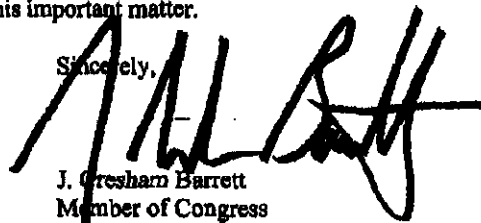
Chairman Kevin J. Martin
Federal Communications Commission
445 Twelfth Street, SW, Room 8-C445
Washington, DC 20554

It is my understanding that you are considering ruling on multicast must-carry rights for broadcasters and that the Federal Communications Commission (FCC) will be voting on this matter on June 21, 2006. As you know, I have previously expressed my support for broadcasters to receive full cable carriage for their entire 6 MHz of spectrum (which is the current requirement in analog television). Requiring the carriage of broadcasters' 6 MHz of spectrum will maintain the delicate regulatory balance that allows small and independent broadcasters to be part of the multi-media landscape in today's television industry.

I am a strong proponent of preserving localism as well as promoting the diversity of television programming, and I strongly support a must carry rule. A successful transition from analog to digital television will bring consumers new choices for video programming and ensure a competitive market. Carriage of broadcasters' digital channels will serve the public's interest in local communities across the nation.

Thank you for your attention to this important matter.

Sincerely,



J. Gresham Barrett
Member of Congress

LINCOLN DIAZ-BALART
21ST DISTRICT, FLORIDA

COMMITTEE ON RULES
VICE CHAIRMAN

CHAIRMAN,
SUBCOMMITTEE ON
LEGISLATIVE AND BUDGET PROCESS

HOUSE POLICY COMMITTEE

CHAIRMAN,
SUBCOMMITTEE ON FOREIGN AFFAIRS
AND FREEDOM

COMMITTEE ON
INTERNATIONAL RELATIONS
(Rankings retained)

ASSISTANT MAJORITY WHIP



Congress of the United States
House of Representatives
Washington, DC 20515-0921
June 8, 2006

PLEASE REPLY TO:
WASHINGTON OFFICE:
☐ 2244 Rayburn House Office Building
Washington, DC 20515-0821
(202) 225-4311

☐ DISTRICT OFFICE:
6825 N.W. 13th Terrace
Suite 101
Miami, FL 33150
(305) 478-0665

Chairman Kevin J. Martin
Federal Communications Commission
445 Twelfth Street, SW, Room 8-C445
Washington, D.C. 20554

Dear Chairman Martin:

It is my understanding that you are considering ruling on multicast must-carry rights for broadcasters in digital television in the upcoming weeks. As you know, I have previously expressed my support for broadcasters to receive full cable carriage for their entire 6MHz of spectrum (which is the current requirement in analog television). Requiring the carriage of broadcasters' 6 MHz of spectrum will maintain the delicate regulatory balance that makes it possible for small and independent broadcasters to be a part of the multi-media landscape in today's television industry.

I am a strong proponent of preserving localism as well as promoting the diversity of television programming, and I strongly support a must carry rule. A successful transition from analog to digital television will bring consumers new choices for video programming and ensure a competitive market. Carriage of broadcasters' digital channels will serve the public's interest in local communities across the nation.

Thank you for your attention to this matter.

Cordially,


Lincoln Diaz-Balart

LDB:ha

JOE WILSON
2ND DISTRICT, SOUTH CAROLINA

ASSISTANT MAJORITY WHIP

COMMITTEES:
ARMED SERVICES

INTERNATIONAL RELATIONS
EDUCATION AND THE WORKFORCE
HOUSE POLICY

Congress of the United States House of Representatives

June 7, 2006

COUNTIES:
AIKEN*
ALLENDALE
BARNWELL
BEAUFORT
CALHOUN*
HAMPTON
JASPER
LEXINGTON
ORANGEBURG*
RICHLAND*
(*PARTS OF)
ERIC DELL
CHIEF OF STAFF

The Honorable Kevin Martin
Chairman
Federal Communications Commission
445 12th Street, Southwest
Washington, D.C. 20554

Dear Chairman Martin,

It is my understanding that you are considering ruling on multicast must-carry rights for broadcasters in digital television in the upcoming weeks. As you know, I have previously expressed my support for broadcasters to receive full cable carriage of their entire 6 MHz of spectrum (which is the current requirement in analog television). Requiring the carriage of broadcasters' 6 MHz of spectrum will maintain the delicate regulatory balance that makes it possible for small and independent broadcasters to be a part of the multi-media landscape in today's television industry.

I am a strong proponent of preserving localism as well as promoting the diversity of television programming, and I strongly support a must carry rule. A successful transition from analog to digital television will bring consumers new choices for video programming and ensure a competitive market. Carriage of broadcasters' digital channels will serve the public's interest in local communities across the nation.

If I may be of further assistance to you, please do not hesitate to contact me.

Very truly yours,



JOE WILSON
Member of Congress

JW/MC

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WEBSITE: www.house.gov/joewilson

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OLYMPIA J. SNOWE

MAINE

154 RUSSELL SENATE OFFICE BUILDING
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Web Site: <http://snowe.senate.gov>

United States Senate

WASHINGTON, DC 20510-1903

COMMITTEES:
COMMERCE, SCIENCE, AND
TRANSPORTATION

CHAIR, FISHERIES AND COAST GUARD
SUBCOMMITTEE

FINANCE

INTELLIGENCE

CHAIR, SMALL BUSINESS

June 5, 2006

The Honorable Kevin J. Martin
Chairman, the Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Martin,

It is my understanding that you are considering ruling on multicast must-carry rights for broadcasters in digital television in the upcoming weeks. As you know, I have previously expressed my support for broadcasters to receive full cable carriage of their entire 6 MHz of spectrum (which is the current requirement in analog television). Requiring the carriage of broadcasters' 6 MHz of spectrum will maintain the delicate regulatory balance that makes it possible for small and independent broadcasters to be a part of the multi-media landscape in today's television industry.

I am a strong proponent of preserving localism as well as promoting the diversity of television programming, and I strongly support a must carry rule. A successful transition from analog to digital television will bring consumers new choices for video programming and ensure a competitive market. Carriage of broadcasters' digital channels will serve the public's interest in local communities across the nation.

Thank you for your attention to this matter.

Sincerely,



OLYMPIA J. SNOWE
United States Senator

AUBURN
TWO GREAT FALLS PLAZA
SUITE 7B
AUBURN, ME 04210
(207) 786-2451

AUGUSTA
40 WESTERN AVENUE, SUITE 406C
AUGUSTA, ME 04330
(207) 622-8292

BANGOR
ONE CUMBERLAND PLACE, SUITE 308
BANGOR, ME 04401
(207) 945-0432

BIDDEFORD
231 MAIN STREET, SUITE 2
BIDDEFORD, ME 04005
(207) 282-4144

PORTLAND
3 CANAL PLAZA, SUITE 801
PORTLAND, ME 04101
(207) 874-0883
MAINE RELAY SERVICE
TDD 1-855-3323

PRESQUE ISLE
169 ACADEMY STREET, SUITE 3
PRESQUE ISLE, ME 04769
(207) 784-5124

IN MAINE CALL TOLL-FREE 1-800-432-1599

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PETER V. DOMENICI
NEW MEXICO

United States Senate
Washington, D.C. 20540

RECEIVED
INTERNATIONAL AFFAIRS
APR 11 1984
U.S. DEPARTMENT OF STATE
WASHINGTON, D.C. 20520

April, 1984

The Honorable Ted Sturgeon
Chairman, Subcommittee on
Energy and Transportation
U.S. House of Representatives
Washington, D.C. 20543

The Honorable Frank Lautenberg
Chairman, Subcommittee on
Energy and Transportation
U.S. Senate
Washington, D.C. 20540

Dear Chairman Sturgeon and Ranking Member Lautenberg:

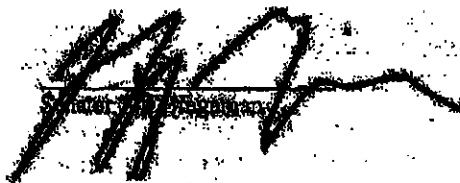
As you consider important energy conservation legislation, we would like to encourage the consideration of a number of measures that preserve strict, independent, religious and minority-based communities and their local New Mexico communities.

These locally focused communities offer programming that is tailored to New Mexico's unique geographic, cultural and ethnic population. This past month in important House New Mexico policy issues on the state's programming provided by small, independent, religious and minority-based communities, we have seen local, religious and religious communities, and this broad-based community is a responsibility and unique public interest programming that reflects our state's diverse demographics.

In this regard, we would encourage you to consider the following proposals in your legislation: (1) to ensure that the local, religious and minority-based communities are not excluded from the federal government's energy conservation programs; (2) to ensure that the local, religious and minority-based communities are not excluded from the federal government's energy conservation programs; (3) to ensure that the local, religious and minority-based communities are not excluded from the federal government's energy conservation programs. We hope that as the country considers energy conservation, these communities will be included and independent organizations in the state's energy programs. We look forward to your thoughtful consideration.

Sincerely,


Senator Peter V. Domenici



Enclosure

Congress of the United States
Washington, DC 20515

March 2, 2006

Honorable Joe Barton
Chairman
Energy & Commerce Committee
United States House of Representatives
Washington, D.C. 20515

Honorable John Dingell
Ranking Member
Energy & Commerce Committee
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Barton and Ranking Member Dingell:

We are writing to express our support for an issue of critical importance to broadcasters in the State of Florida: multicast must-carry in digital television. As you know, Florida is home to the country's only general market independent broadcast network, many smaller, independent broadcasters, including locally focused, and several minority broadcast companies.

Multicast must-carry is particularly important to a state like Florida because of the unique composition of our constituency. We rely heavily on the niche programming provided by small, independent, minority and religious broadcasters to reach our local elderly, minority, and religious communities. Our broadcasters that are not affiliated with major media conglomerates have provided testimonials on the difficulties they are experiencing in working with distributors on securing carriage of their multicast signals. They have provided examples of compelling programming that they will offer on their multicast channels, but have advised us that they are systematically being denied distribution. Unfortunately, broadcasters not associated with a multi-media conglomerate will be unable to leverage other assets to secure multicast carriage of their signals in the digital environment and our state will lose important sources of local news, information and entertainment that is tailored to address the needs of our State's diverse demographic. In summary, we believe that small and independent broadcasters should have a place in the digital television environment.

In this regard, we would ask that you include a multicast must-carry provision in any telecommunications legislation that passes this year. Thank you for your time and consideration.

Sincerely,



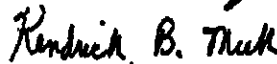
Congressman Mark Foley



Congressman Clay Shaw



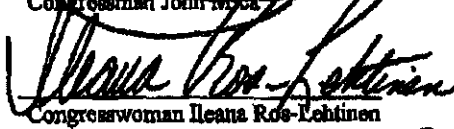
Congressman Alcee L. Hastings



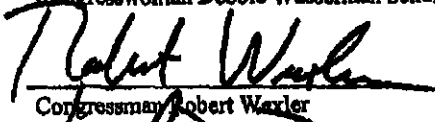
Congressman Kendrick B. Meek

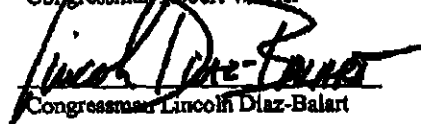
Honorable Joe Barton and Honorable John Dingell
March 1, 2006
Page 2


Congressman John Mica


Congresswoman Ileana Ros-Lehtinen


Congresswoman Debbie Wasserman Schultz

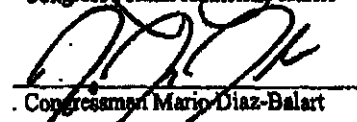

Congressman Robert Wexler


Congressman Lincoln Diaz-Balart


Congresswoman Corrine Brown


Congressman Dave Weldon


Congresswoman Katherine Harris


Congressman Mario Diaz-Balart

02/04/2005 17:34 FAX

MEL MARTINEZ
FLORIDA
(202) 224-3641

002

COMMITTEE
AGING
ECONOMICS
ENERGY AND NATURAL RESOURCES
FOREIGN RELATIONS

United States Senate
WASHINGTON, DC 20510-0000

February 4, 2005

The Honorable Michael Powell
Federal Communications Commission
445 12th Street, S.W., 8th Floor
Washington, D.C. 20554

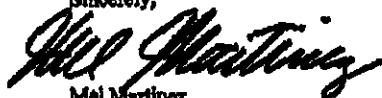
Dear Chairman Powell:

I understand that you are considering ruling on multicast must-carry rights for digital television broadcasters. I wish to express my support for broadcasters to receive full carriage of the entire 6 MHz spectrum in digital television. Doing so will ensure that small and independent broadcasters will be able to be part of the modern broadcast industry. Small and independent broadcasters deliver vital services to their communities, such as community-specific news, religious programming, family-friendly broadcasts, and other information important to local communities. Without a multicast must-carry mandate, these broadcasters will be irreparably harmed.

I believe that a ruling requiring full carriage of the 6 MHz spectrum will ensure that small and independent broadcasters will be able to compete in the marketplace and that the diversity of media programming will continue to benefit our local communities.

I would appreciate your careful consideration of this matter and I look forward to your response.

Sincerely,



Mel Martinez
United States Senator

Congress of the United States

Washington, DC 20510

February 1, 2005

The Honorable Michael Powell
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, D.C. 20554

Dear Chairman Powell:

It is our understanding that you are considering ruling on multicast must-carry rights for broadcasters in digital television in the upcoming weeks. As you know, we have previously expressed our support for broadcasters to receive full cable carriage of their entire 6 MHz of spectrum in digital television. Requiring the carriage of broadcaster's 6 MHz of spectrum (which is the current requirement in analog television) will maintain the delicate regulatory balance that makes it possible for small and independent broadcasters to be part of the multi-media and consolidated broadcast landscape of today's television industry. Specifically, small, independent, religious, family-friendly and minority broadcasters that provide community focused news, entertainment and information to local communities across the nation will be irreparably harmed without a multicast must-carry mandate.


In this regard, we believe a ruling requiring anything less than full carriage of a broadcaster's 6 MHz of spectrum would severely hinder small and independent broadcasters from competing in the marketplace and threaten a diversity of ownership and programming; and we reaffirm our support for this issue.

We would encourage your thoughtful review of this matter and look forward to your response.

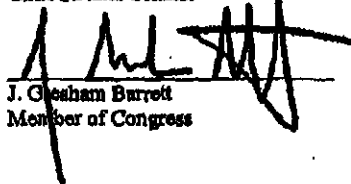
Sincerely,



Lindsey O. Graham
United States Senator




Olympia Snowe
United States Senator



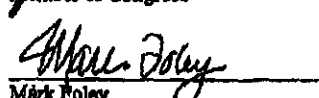
J. Gresham Barrett
Member of Congress



Trent Lott
United States Senator



Lincoln Diaz-Balart
Member of Congress

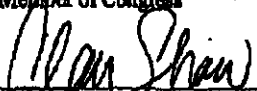


Mark Foley
Member of Congress

The Honorable Michael Powell
February 1, 2005
Page 2



Ilana Ros-Lehtinen
Member of Congress



Clay Shaw
Member of Congress



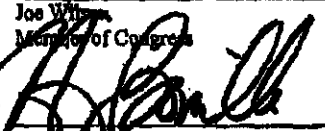
Dave Weldon
Member of Congress



Tom Osborn
Member of Congress



Joe Wilson
Member of Congress



Henry Holsa
Member of Congress

JAN-21-04 18:44 From: Congressman Gillmor

T-818 P.02/02 Job-882

PAUL E. GILLMOR
On Governor, Ohio
COLUMBUS AIRPORT (INVT), CLEVELAND
CINCINNATI, OHIO, (INVT), CLEVELAND, OHIO
MADISON (INVT), CLEVELAND, OHIO, CLEVELAND, OHIO
VAN WAGEN, CLEVELAND, OHIO, CLEVELAND, OHIO
COLUMBUS, OHIO, CLEVELAND, OHIO
COLUMBUS, OHIO, CLEVELAND, OHIO



Congress of the United States
House of Representatives
Washington, DC 20515-5505
January 20, 2004

COMMITTEE ON ENERGY AND COMMERCE
SUBCOMMITTEE
ENVIRONMENT AND NUCLEAR ENERGY
TELECOMMUNICATIONS AND THE INTERNET
COMMITTEE ON FINANCIAL SERVICES
SUBCOMMITTEE
CAPITAL MARKETS, INSURANCE AND
GOVERNMENT FINANCIAL SERVICES
FEDERAL RESERVE AND CREDIT RISK

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 13th Street, NW
Washington, D.C. 20554

Dear Chairman Powell:

I am writing regarding the current digital television, multichannel "must carry" debate.

Of note, a number of Ohio broadcast stations have contacted me concerning this issue, and in particular, non-major network affiliate stations including family-friendly WLMB in Toledo, WILW in Lima, WSPJ in Columbus and WGGN in Cleveland. These broadcasters have conveyed repeatedly that the transition to digital television has been an expensive and major undertaking, but one with great possibilities. However, they are concerned with the potential dilution of their voices, should they not receive cable carriage of their entire 6 MHz of digital spectrum, including all free over-the-air broadcast signals contained therein. I should also point out that these broadcasters do not support a "dual carriage" mandate that would double the spectrum requirements for cable systems.

I am a strong proponent of preserving localism as well as promoting the diversity of television programming, and certainly support a reasonable "must carry" rule. Should the Federal Communications Commission (FCC) take further action concerning the digital "must carry" issue, I would ask that you take into account the views of respective independent and small broadcasters across the country, providing them with a proportionate voice on digital cable systems.

Thank you in advance for your consideration.

Sincerely,

Paul E. Gillmor
Member of Congress

PEG:arb

WASHINGTON
1305 LEWIS AND CLARK HOUSE, CLEVELAND, OHIO
WASHINGTON, DC 20515-5505
202-455-5505

REHABER
615 WEST 10TH STREET
CLEVELAND, OH 44113
419-733-1300

NOTESMAN
130 BARRY LANE DRIVE
NEWARK, OH 44661
614-881-0300

TRIPIN
88 SOUTH WASHINGTON STREET, SUITE 600
TOLEDO, OH 44602
419-468-0300

http://gillmor.house.gov Paul.Gillmor@nytel.house.gov TOLL FREE IN OHIO 1-800-441-2015 TOLL FREE FAX IN OHIO 1-800-271-0723

07/23/03 WED 11:10 FAX

002

JAMES M. HANCOCK
LEGATION

WASHINGTON OFFICE
445 P Street, S.W. 8th Floor
Washington, DC 20540-2001
(202) 724-7721

FIELD OFFICE
1000 P Street, N.W. 8th Floor
Washington, DC 20540
(202) 724-7721

OKLAHOMA CITY OFFICE
1000 P Street, N.W. 8th Floor
Oklahoma City, OK 73102
(405) 525-4300

LEGATION
ARMED SERVICES
ENVIRONMENT AND
PUBLIC WORKS
INDIAN AFFAIRS

United States Senate

WASHINGTON, DC 20510-3000

July 23, 2003

The Honorable Michael Powell
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, D.C. 20554

Dear Chairman Powell:

I am writing to you regarding multicast must-carry in digital television, an issue that is of great importance to the people of Oklahoma.

I have been contacted by representatives from broadcast stations across Oklahoma on this matter, most notably, non-major network affiliated stations including family-friendly KSBI-TV 52 in Oklahoma City and KGBB-53 in Tulsa, which airs Oral Roberts University programming. These broadcasters have informed me that the transition to digital television has been an expensive and major undertaking, but one with great possibilities. However, they are very concerned with the dilution of their voice if they do not receive cable carriage of their entire 6 MHz of digital spectrum, including all free over-the-air broadcast signals contained therein. As you are aware, the cable carriage of 6 MHz of spectrum in digital television is the exact same spectrum requirement that applied to cable in analog television—nothing more, nothing less.

I am a strong proponent of diversity of voices in the broadcast medium and support a reasonable must-carry rule. To be clear, I do not support a "dual must-carry" requirement that would double the spectrum requirements for cable systems. This issue is even more relevant given the recent deregulatory rulemaking by the FCC to loosen ownership rules, which further limit the opportunities for small and independent broadcasters.

I also encourage the type of family-friendly and local programming that KSBI-TV and KGBB-53 air in my state. Locally produced shows like *On the Water In the Woods with Cody and Cody*; Oklahoma University and Oklahoma State University football and basketball programs; and inspirational and educational programming from Oral Roberts University are great forms of entertainment, news and information for Oklahomans.

As we transition to digital television and broadcasters and cable operators apply advances in technology to provide additional services to American television viewers, it is my hope that independent and small broadcasters are given a proportionate voice on digital cable systems. Just as analog must-carry has been an essential element in ensuring local and relevant programming to our communities, digital multicast must-carry (full carriage of broadcasters' 6 MHz of spectrum) will ensure the continued availability of community oriented programming.

07/23/03 WED 11:10 FAX

0003

Thank you for your attention to this matter. I look forward to your response.

Sincerely,



James M. Inhofe
United States Senator

[illegible]

Dear Chairman Powell:

[illegible][illegible]

Thank you for your attention to this matter. I look forward to your response.

William A. Anderson

100 MILLING STREET, SUITE
 FARMINGTON, ME 04702
 (207) 746-4124

TOM OSBORNE
20101, NW4444
COMMITTEE ON AGRICULTURE
COMMITTEE ON EDUCATION
AND THE WORKFORCE
COMMITTEE ON RESOURCES



Congress of the United States
House of Representatives
Washington, DC 20515-2703
March 10, 2003

901 Second Street, NE
Washington, DC 20002
(202) 541-4000
Fax (202) 541-4000
DISTRICT OFFICE:
100 First Avenue, NE
Washington, DC 20002
(202) 541-4000
Fax (202) 541-4000
2100 First Avenue, NE
Washington, DC 20002
(202) 541-4000
Fax (202) 541-4000

The Honorable Michael K. Powell
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Powell:

I am writing regarding the issue of mandatory cable carriage of digital broadcast signals. It is my understanding that in January of 2001, the Federal Communications Commission (FCC) ruled in CTS docket No. 98-128 that cable systems are only required to carry, under "must carry" rules, the primary digital television signal of a broadcaster. I am concerned that this ruling will have an increasingly disproportionate effect on local and independent broadcasters, a group that includes many religious and multilingual broadcasters, as cable systems convert from analog to digital and the capacity of their systems expands significantly.

As you know, prior to passage of the "1992 Cable Act," cable offered only limited, discretionary local broadcast station programming choices. In the 1992 Cable Act, Congress balanced public interest needs with industry competitiveness and designed a regulatory structure in which up to one third of a cable operator's channel capacity would be set aside for local broadcast signals. Congress further instructed that must-carry provisions apply to future digital television operations. In 1997, the Supreme Court upheld the constitutionality of the must-carry provisions of the 1992 Cable Act, considering the one-third channel capacity allocation, and citing that the regulations would not be an undue burden on cable. Must-carry provisions have been an essential element in promoting family friendly, spiritual, and local programming.

Given the fact that cable and broadcast providers are increasing channel capacity in correlating increments, the one-third rule should be reconsidered to include cable carriage of any free over-the-air broadcast signals contained in 6 MHz of spectrum based on the intent of the 1992 Cable Act to provide an adequate voice for small, independent, and local voices. Cable carriage would be predicated on the broadcaster meeting FCC licensing requirements for serving the public interest, and occupying up to only one third of a cable operator's capacity.

Thank you for your attention to this matter. I look forward to your response.

Best Wishes,

Tom Osborne
TOM OSBORNE
Member of Congress

FOUO - FOR OFFICIAL USE ONLY

NPR 20 2003 14135

FREE. 02

J. GRESHAM BARRETT
THIRD DISTRICT, SOUTH CAROLINA

ASSISTANT MAJORITY WHIP

HOUSE COMMITTEES:
SUBCOMMITTEE
FINANCIAL SERVICES

WASHINGTON OFFICE:
1521 LOMBARD NORTH AVE
WASHINGTON, DC 20004
(202) 225-4311
FAX (202) 225-4316

Congress of the United States
House of Representatives
Washington, DC 20515-4003

DISTRICT OFFICES

ARIZONA
214 MONROVIA STREET, NW
ARIZONA, AZ 85001
(602) 442-0071
FAX (602) 442-0071

ARIZONA
P.O. BOX 676
345 SOUTH MONROVIA STREET
ARIZONA, AZ 85001
(602) 442-0071
FAX (602) 442-0071

ARIZONA
1111 MONROVIA STREET, SUITE 4
CHANDLER, AZ 85226
(480) 833-0000
FAX (480) 833-1000

March 5, 2003

The Honorable Michael Powell
Federal Communications Commission
6th Floor
445 12th Street, SW
Washington, DC 20554

Dear Chairman Powell:

I am writing to you in reference to the FCC's January 18, 2001 ruling in CS Docket No. 98-120. As this rulingmaking has such a strong impact on local and independent broadcasters, affecting their ability to remain viable entities providing important diversity of programming and viewpoints within the current industry, we would ask the FCC to reconsider this rulingmaking.

As you know, prior to passage of the 1992 Cable Act, cable offered only limited, discretionary local broadcast station programming choices. In the 1992 Cable Act, Congress balanced public interest needs with industry competitiveness and designed a regulatory structure in which up to one-third of a cable operator's channel capacity would be set aside for local broadcast signals. Congress further instructed that "must-carry" apply to future digital television operations. In 1994, the Supreme Court upheld the constitutionality of the must-carry provisions of the 1992 Cable Act, considering the one-third channel capacity allocation, and citing that the regulations "would not be unduly burdensome on either." "Must-carry" has been an essential element in promoting family-friendly, educational, and local programming.

Given the fact that cable and broadcast operators are increasing channel capacity in correlating increments, the one channel rule should be reconsidered to include cable carriage of all broadcast signals contained in 6 MHz of spectrum based on the intent of the 1992 Cable Act to provide an adequate voice for small, independent, and local voices. Cable carriage would be predicated on the broadcast meeting the FCC licensing requirements for service to the public interest, and occupying up to only one-third of a cable operator's capacity.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,

Gresham Barrett
Member of Congress

cc: Commissioner Kevin Martin
Commissioner Michael Copple
Commissioner Kathleen Abernathy
Commissioner Jonathan Adelstein

MAR. 4. 2003 2:35PM
KAY BAILEY HUTCHISON
TEXAS

NO. 305 P. 2
COMMITTEES:
APPROPRIATIONS
COMMERCE, HOUSING,
AND TRANSPORTATION
RULES AND ADMINISTRATION

United States Senate

WASHINGTON, DC 20510-4604

March 3, 2003

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Powell:

The FCC recently began its second review of the analog-to-digital television transition. This transition is required under the 1997 Balanced Budget Act. A successful transition will bring consumers new choices for video programming, encourage greater technology development, and ensure a competitive market.

I understand that Texas broadcasters are moving quickly to make the transition from analog to digital television ("DTV"). With the large investment that broadcasters have made to complete the transition, one concern is broadcasters' digital programming may not be sufficiently carried on other platforms, including cable and satellite. Part of the concern is whether broadcasters will be able to fully utilize, in the digital realm, the spectrum for which they currently have an FCC license in the analog realm.

I am concerned that the current FCC rule requiring carriage of only a limited signal will adversely impact broadcasters, particularly small, independent stations. The policy rationale behind "must carry" is to insure that local and regional content programming is available, and this policy should apply to digital television. I encourage you to consider maintaining carriage of a broadcaster's entire 6 MHz spectrum, for which it has been licensed, as part of the DTV transition.

I commend your efforts, and your challenge to the various industries last year, to work expeditiously toward a full transition by the December 31, 2006 deadline. I would appreciate hearing from you on this matter.

Sincerely,



Web: kbailey@hutchison.senate.gov

MAR 04 2003 13:53

PAGE 02

MAC COLLINS
 8th District, Georgia
 COMMITTEE ON WAYS AND MEANS
 PERMANENT SELECT
 COMMITTEE ON INTELLIGENCE
 DEPUTY WHIP
 1121 LONGWORTH HOUSE DRIVE SUITE 200
 WASHINGTON, DC 20540
 (202) 225-6701
 www.house.gov/maccollins



**UNITED STATES
 HOUSE OF REPRESENTATIVES**

March 5, 2003

DISTRICT OFFICE:
 1125 Manservant Park Drive
 McDonough, GA 30252
 (770) 962-6666
 20 Raven Place, Suite 100
 Norcross, GA 30071
 (770) 962-6611
 6030 Veterans Parkway, Suite 200
 Columbus, GA 31906
 (706) 972-7226

The Honorable Michael K. Powell
 Chairman, Federal Communications Commission
 445 12th Street, SW
 Washington, DC 20554

Dear Chairman Powell:

I am writing regarding the issue of mandatory cable carriage of digital broadcast signals. In my understanding that in January of 2001, the FCC ruled in GS Notice No. 98-120 that cable systems are only required to carry, under "must carry" rules, the primary digital television signal of a broadcaster. I am concerned that this rule making will have an increasingly disproportionate effect on local independent broadcasters, a group that includes many religious and multilingual broadcasters, or cable systems convert from analog to digital and the capacity of their systems expand significantly.

As they convert to digital broadcasting I understand that many of these local and independent broadcasters plan to "multicast" by offering several digital programming options to viewers in the 6 MHz of spectrum currently used to broadcast a "primary" analog signal, rather than one high definition signal. I am worried that unless these local and independent broadcasters are permitted to continue to broadcast in the full 6 MHz of spectrum, then the constructive and positive programming which they offer will be highly diluted as a percentage of the total channels available on digital cable systems.

"Must carry" was established by Congress under the 1992 Cable Act, and the provisions of the 1992 Act requiring that up to one-third of a cable operator's channel capacity must be set aside for the carriage of local broadcast signals was upheld by the Supreme Court in 1997. This beneficial policy has been a key factor in fostering the availability of local, family friendly, and spiritual programming to cable television viewers. The "must carry" policy has insured that news, sports, and wholesome programming of local and regional interest is available on cable systems, and I believe that thoughtful consideration of this issue is necessary in order to ensure that such important programming will flourish and grow as the capacity of cable systems expands.

I would appreciate hearing from you with your thoughts on this matter, particularly with regard to any action you believe might be necessary from a legislative or regulatory standpoint in order to ensure that the objectives of the current "must carry" policy are carried forward in the transition to digital television capabilities.

Sincerely,

Mac Collins

Mac Collins
 Member of Congress

NOV. 26. 2002 5:05PM

NO. 9209 P. 2

Congress of the United States
Washington, DC 20515

November 26, 2002

The Honorable Michael Powell
Federal Communications Commission
445 12th Street, S.W. 8th Floor
Washington, D.C. 20554

Dear Chairman Powell:

In further reference to the FCC's January 18, 2001 ruling in CS Docket No. 98-120, we would ask you to reconsider requiring mandatory carriage of only the primary digital television signal of a broadcaster, or, in the alternative, redefine the term "primary video." Given the fact that this rulemaking has such a strong impact on local and independent broadcasters, affecting their ability to remain viable entities providing important diversity of programming and viewpoints within the current state of the industry, we would ask the FCC to reconsider this rulemaking.

As you know, prior to passage of the "1992 Cable Act", cable offered only limited, discretionary local broadcast station programming choices. In the 1992 Cable Act, Congress balanced public interest needs with industry competitiveness and designed a regulatory structure in which up to one third of a cable operators channel capacity would be set aside for local broadcast signals. Congress further instructed that must-carry apply to future digital television operations. In 1997, the Supreme Court upheld the constitutionality of the must-carry provisions of the 1992 Cable Act, considering the one third channel capacity allocation, and citing that the regulations would not be an undue burden on cable. Must-carry has been an essential element in promoting family friendly, spiritual, and local programming.

Given the fact that cable and broadcast are increasing channel capacity in correlating increments, the one channel rule should be reconsidered to include cable carriage of any free over-the-air broadcast signals contained in 6 mhz of spectrum based on the intent of the 1992

PRINTED ON RECYCLED PAPER

NOV. 26. 2002 5:05PM

HL-9209 P. 3

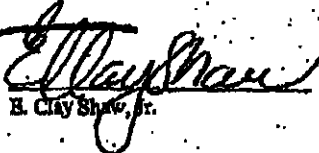
The Honorable Michael Powell
Page 2

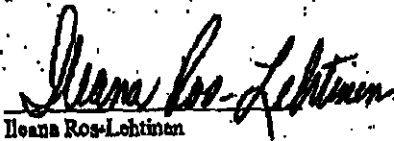
Cable Act to provide an adequate voice for small, independent, and local voices. Cable carriage would be predicated on the broadcaster meeting the FCC licensing requirements for serving the public interest, and occupying up to only one third of a cable operator's capacity.

Thank you for your attention to this matter. We look forward to your response.

Sincerely,


Lincoln Diaz-Balart


H. Clay Shaw, Jr.


Ileana Ros-Lehtinen

Cc: Commissioner Kevin Martin
Commissioner Michael Copps
Commissioner Kathy Abernethy

NOV 26 2002 16:41

PAGE.03

Congress of the United States

Washington, DC 20515

November 13, 2002

The Honorable Michael E. Powell
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Dear Chairman Powell:

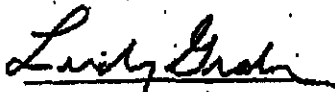
We are writing regarding the issue of mandatory cable carriage of digital broadcast signals. It is our understanding that in January of 2001, the FCC ruled in CS docket No. 98-120 that cable systems are only required to carry, under "must carry" rules, the primary digital television signal of a broadcaster. We are concerned that this rulemaking will have an increasingly disproportionate effect on local and independent broadcasters, a group that includes many religious and multilingual broadcasters, as cable systems convert from analog to digital and the capacity of their systems expands significantly.

As they convert to digital broadcasting, we understand that many of these local and independent broadcasters plan to "multicast" by offering several digital programming options to viewers in the 6 MHz of spectrum currently used to broadcast a "primary" analog signal, rather than one high definition signal. We are worried that unless these local and independent broadcasters are permitted to continue to broadcast in the full 6 MHz of spectrum, then the constructive and positive programming which they offer will be highly diluted as a percentage of the total channels available on digital cable systems.

"Must carry" was established by Congress under the 1992 Cable Act, and the provisions of the '92 Act requiring that up to one third of a cable operator's channel capacity must be set aside for the carriage of local broadcast signals was upheld by the Supreme Court in 1997. This beneficial policy has been a key factor in fostering the availability of local, family friendly, and spiritual programming to cable television viewers. The "must carry" policy has insured that news, sports, and wholesome programming of local and regional interest is available on cable systems, and we believe that thoughtful consideration of this issue is necessary in order to ensure that such important programming will flourish and grow as the capacity of cable systems expands.

We would appreciate hearing from you with your thoughts on this matter, particularly with regard to any action you believe might be necessary from a legislative or regulatory standpoint in order to ensure that the objectives of the current "must carry" policy are carried forward as the transition to digital television continues.

Sincerely,



LINDSBY O. GRAHAM
Member of Congress



JOE WILSON
Member of Congress

11/12/2002 10:09 FAX

1002

MARK FOLEY
16TH DISTRICT, FLORIDA
DEPUTY MAJORITY WHIP
WAYS AND MEANS
COMMITTEE
SUBCOMMITTEE ON OVERSIGHT
SUBCOMMITTEE ON SELECT REVENUE
MEASURES

Congress of the United States
House of Representatives
Washington, DC 20515

REPLY TO:
104 CANNON BUILDING
WASHINGTON, DC 20515-0010
(202) 225-0700
FAX (202) 225-3132

E-MAIL: mark.foley@mail.house.gov
WWW: http://www.house.gov/foley

November 6, 2002

The Honorable Michael Powell
Federal Communications Commission
445 12th Street, S.W. 8th Floor
Washington, D.C. 20554

Dear Chairman Powell:

In further reference to the FCC's January 18, 2001, ruling in CS Docket No. 98-120, I would ask you to reconsider requiring mandatory carriage of only the primary digital television signal of a broadcaster, or, in the alternative, redefine the term "primary video." Given the fact that this rulemaking has such a significant impact on local and independent broadcasters, affecting their ability to remain viable entities providing important diversity of programming and viewpoints within the current state of the industry, I would ask the FCC to reconsider this rulemaking.

As you know, prior to passage of the "1992 Cable Act", cable offered only limited, discretionary local broadcast station programming choices. In the 1992 Cable Act, Congress balanced public interest needs with industry competitiveness and designed a regulatory structure in which up to one third of a cable operator's channel capacity would be set aside for local broadcast signals. Congress further instructed that must-carry apply to future digital television operations. In 1997, the Supreme Court upheld the constitutionality of the must-carry provisions of the 1992 Cable Act, citing the one third channel capacity allocation. Must-carry has been an essential element in promoting family friendly, spiritual, and local programming.

Given the fact that cable and broadcast are increasing channel capacity in correlating increments, the one channel rule should be reconsidered to include cable carriage of any free over-the-air broadcast signals contained in 6 mhz of spectrum based on the intent of the 1992 Cable Act to provide an adequate voice for small, independent, and local voices. Cable carriage would be predicated on the broadcaster meeting the FCC licensing requirements for serving the public interest, and occupying up to only one third of a cable operator's capacity.

Thank you for your attention to this matter.

Sincerely,


Mark Foley
Member of Congress

PALM BEACH GARDENS
4410 PGA BLVD., SUITE 400
PALM BEACH GARDENS, FL 33410
(561) 935-0100
FAX: (561) 935-0740

PORT ST. LUCIE
COUNTY ANNEX BUILDING
350 SW COUNTRY CLUB DRIVE
PORT ST. LUCIE, FL 34956
(888) 616-3100
FAX: (888) 616-4001

MIAMI COUNTY
66000 CITY HALL
(BY APPOINTMENT ONLY)
MIAMI 331-1100

United States Senate

WASHINGTON, DC 20510

October 11, 2002

The Honorable Michael K. Powell
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Powell:

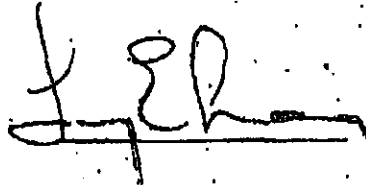
We are writing regarding the issue of mandatory cable carriage of digital broadcast signals. It is our understanding that in January of 2001, the FCC ruled in CS Docket No. 98-120 that cable systems are only required to carry, under "must carry" rules, the primary digital television signal of a broadcaster. We are concerned that this rulemaking will have an increasingly disproportionate effect on local and independent broadcasters, a group that includes many religious and multilingual broadcasters, as cable systems convert from analog to digital and the capacity of their systems expands significantly.

As they convert to digital broadcasting, we understand that many of these local and independent broadcasters plan to "multicast" by offering several digital programming options to viewers in the 6 MHz of spectrum currently used to broadcast a "primary" analog signal, rather than one high definition signal. We are worried that unless these local and independent broadcasters are permitted to continue to broadcast in the full 6 MHz of spectrum, then the constructive and positive programming which they offer will be highly diluted as a percentage of the total channels available on digital cable systems.

"Must carry" was established by Congress under the 1992 Cable Act, and the provisions of the '92 Act requiring that up to one third of a cable operator's channel capacity must be set aside for the carriage of local broadcast signals was upheld by the Supreme Court in 1997. This beneficial policy has been a key factor in fostering the availability of local, family friendly, and spiritual programming to cable television viewers. The "must carry" policy has insured that news, sports, and wholesome programming of local and regional interest is available on cable systems, and we believe that thoughtful consideration of this issue is necessary in order to ensure that such important programming will flourish and grow as the capacity of cable systems expands.

We would appreciate hearing from you with your thoughts on this matter, particularly with regard to any action you believe might be necessary from a legislative or regulatory standpoint in order to ensure that the objectives of the current "must carry" policy are carried forward as the transition to digital television continues.

Sincerely,



AUG. 5. 2002 11:11AM

WASHINGTON OFFICE
332 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3871

CHIEF OF STAFF
BRYAN CO. GAY, COMALX
1725 AVENUE FRANKLIN WY
BIRMINGHAM, AL 35202
(205) 833-1738
http://www.house.gov/whitten

Congress of the United States
House of Representatives
Washington, DC 20515

August 5, 2002

The Honorable Michael Powell
Federal Communications Commission
445 12th Street, S.W. 8th Floor
Washington, D.C. 20554

Dear Chairman Powell:

In further reference to the FCC's January 18, 2001, ruling in CS Docket No. 98-120, I would ask you to reconsider requiring mandatory carriage of only the primary digital television signal of a broadcaster, or, in the alternative, redefine the term "primary video." Given the fact that this rulemaking has such a significant impact on local and independent broadcasters, affecting their ability to remain viable entities providing important diversity of programming and viewpoints within the current state of the industry, I would ask the FCC to reconsider this rulemaking.

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Given the fact that cable and broadcast are increasing channel capacity in correlating increments, the one channel rule should be reconsidered to include cable carriage of any free over-the-air broadcast signals contained in 6 mhz of spectrum based on the intent of the 1992 Cable Act to provide an adequate voice for small, independent, and local voices.

BU 8002 P. 2

DAVE WELDON
18th Street, Florida

GOVERNMENT REFORM
CHAIRMAN
SAIL SERVICE RECONSTRUCTION
NATIONAL SECURITY, VETERANS AFFAIRS
DISCERNMENT
CIVILIAN JUSTICE, HUMAN RESOURCES
DISCERNMENT

SCIENCE
VICE CHAIRMAN
SPACE AND AERONAUTICS DISCERNMENT

FINANCIAL SERVICES
VICE CHAIRMAN
FINANCIAL INSTITUTIONS DISCERNMENT
CAPITAL MARKETS DISCERNMENT

AUG. 5. 2002 11:11AM

NO. 8002 P. 3

Cable carriage would be predicated on the broadcaster meeting the FCC licensing requirements for serving the public interest, and occupying up to only one third of a cable operator's capacity.

Thank you for your attention to this matter. I look forward to your response on this matter.

Sincerely,



Dave Weldon, M.D.
Member of Congress

Cc: Commissioner Kevin Martin
Commissioner Michael Copps
Commissioner Kathy Abernathy